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C O N F I D E N T I A L SECTION 01 OF 04 MANILA 005019

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TAGS: PTER PREL MOPS PINS KISL MY RP

SUBJECT: GRP-MILF PEACE PROCESS ON TRACK BUT POTENTIAL
OBSTACLES REMAIN

REF: MANILA 4662

Classified By: Acting Political Counselor Joseph L. Novak for
reasons 1.4 (b) and (d).

11. (C) Summary: GRP and Moro Islamic Liberation Front (MILF) negotiators made a breakthrough on ancestral domain during their 9th Exploratory Talks in Kuala Lumpur, September 15-16. Though both sides agreed to keep details of the talks confidential, a leak to the Philippine press disclosed an

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agreement in principle for the creation of a "Bangsamoro" juridical entity -- separate from the existing ARMM -- that would draft its own charter, levy taxes, and form legal and financial institutions for an expanded Muslim area in Mindanao. This press leak has, among other matters: increased concerns about the future viability of the ARMM and raised hackles among members of the Moro National Liberation Front (MNLF). The news re the talks is positive, but obstacles remain. End Summary.

Breakthrough On Ancestral Domain

12. (C) Following the 9th Exploratory Talks between the GRP and MILF in Kuala Lumpur, Malaysia, on September 15-16, Adviser to the MILF Peace Panel Michael Mastura and Office of the Presidential Advisor on the Peace Process (OPAPP) Peace Panel Secretariat member Ryan Sullivan confirmed to poloff that there was a breakthrough on ancestral domain. Both sides held details of the negotiations close to their vests, however, because "sensitive issues" were said to remain on the agenda for the next round of peace talks scheduled for late 2005.

13. (C) The confidentiality was short-lived when the Philippine press disclosed in mid-October that the two sides had agreed in principle on the need to create a "Bangsamoro" juridical entity that would draft a charter, levy taxes, and form legal and financial institutions for the development of the five provinces (Maguindanao, Lanao del Sur, Basilan, Sulu, Tawi-Tawi) that now make up the ARMM as well as other areas in Zamboanga del Norte, Zamboanga del Sur, North Cotabato, and Sarangani Provinces in Mindanao. (Note: Bangsamoro is a term that is used to refer to the Muslim Filipino people. ARMM stands for the Autonomous Region in Muslim Mindanao. End Note.) After expressing his irritation over this leak to Poloff on October 18, Legal Adviser to the MILF Peace Panel Musib Buat confirmed its content in general terms and noted that the drafting of a new charter by a Bangsamoro government represented "real autonomy."

MNLF Out in the Cold?

14. (C) MNLF Foreign Affairs Minister and former ARMM Governor Parouk Hussin reportedly stated on October 22 that the Arroyo Administration had insulted and effectively dumped the MNLF by agreeing to create a Bangsamoro juridical entity. Hussin was also quoted as saying that the agreement with the MILF was also an insult to the Organization of Islamic Conference (OIC) which brokered the 1996 GRP-MNLF Peace Agreement. Combined with the MNLF's loss of the recent ARMM gubernatorial race, this development has added to perceptions by MNLF officials that they are being left out in the cold. (Note: The OIC continues to recognize the MNLF as the legitimate representative of the Bangsamoro people. As of late October, OIC member Saudi Arabia pledged USD 50 million for development and socio-economic projects in the ARMM which the MNLF sees as the only appropriate Muslim entity in the Philippines. Saudi Ambassador to the Philippines Ameen Wali has offered to facilitate a meeting between ARMM Governor Zaldy Ampatuan and officials of the Islamic Development Bank, Saudi Development Bank, and Muslim World League to discuss future development projects. End Note.)

15. (C) While acknowledging that a Bangsamoro juridical entity could supplant the ARMM, MILF Advisor Buat described the MILF as the "true representative" of the Bangsamoro people unlike the MNLF which only focused on

"self-enrichment." Speaking in reference to the bitter criticism and complaints voiced by Parouk Hussin and other high ranking members of the MNLF since the August 8 election of Ampatuan as ARMM Governor, Buat called the MNLF "cry babies" and noted that "they had their chance and squandered it." According to Buat, Ampatuan -- whose family has not been on the best of terms with members of the MILF -- promised Malacanang that he would not be an obstacle to peace in Mindanao.

Opposition Criticizes Preliminary Agreement

16. (SBU) Former Senator Francisco Tatad -- the alleged source of the "Gloriagate tapes" that helped trigger impeachment hearings against President Arroyo -- used the leak in the press regarding a Bangsamoro juridical entity to attack the Arroyo Government for "partitioning" the Philippines without the knowledge of the Filipino people. Other political and former military figures expressing opposition to the theoretical creation of this new entity included Zamboanga City Mayor Celso Lobregat, House Deputy Minority leader Rolex Suplico, and former Armed Forces of the Philippines (AFP) Chief of Staff Fortunato Abat. Executive Secretary Eduardo Ermita has responded to these critics by

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noting that a federal state in Muslim Mindanao could only be established by shifting to a parliamentary-federal system of government through an amendment to the 1987 Constitution.
(Note: Amid much discussion of the issue of possible change in the House and Senate, a Consultative Constitutional Commission that recently was created by an Executive Order from Arroyo has been conducting nationwide consultations on proposed changes to the Constitution -- see Reftel. End Note.)

Words of Praise

17. (U) In an apparent follow-up to the September 16 Joint Statement (see Para 12 for full text) by the GRP and MILF Peace Panels in Kuala Lumpur that cited "President Gloria-Macapagal Arroyo's firm commitment to lasting and durable peace," the MILF leadership recently expressed more words of rare praise for Arroyo through its website -- "Luwuran." On October 19, MILF Vice-Chairman for Military Affairs Aleem Abdul Mimbatas "extolled Malaysian Prime Minister His Excellency Muhammad Ahmad Badawi and Her Excellency President Gloria Macapagal-Arroyo for their sincere efforts for the success of the ongoing peace process."

Continued Optimism and a Plea for Help

18. (C) During a "confidential" briefing to foreign diplomats on October 26, GRP Secretary of Foreign Affairs Alberto G. Romulo and GRP Peace Panel Chairman Silvestre C. Afable expressed optimism that an accord on ancestral domain could be reached by December 2005 and a comprehensive peace agreement by mid-2006. While he said popular support for the peace process has increased, Afable remarked that "certain quarters" wanted to undermine the negotiations by raising controversial issues to the public through the media.

19. (C) In responding to concerns that the MNLF was being left out in the cold, Afable said that the OIC-GRP-MNLF Tri-partite Commission would be reactivated, but that support is needed from the OIC and the international community to build bridges between the MNLF and MILF, and encourage consolidation of a fragmented MNLF leadership.

Comment

10. (C) The GRP and MILF appear committed to continuing negotiations regarding ancestral domain and governance. Though some details from the last round of talks in Kuala Lumpur were disclosed by the press as well as Afable during his October 26 briefing, it remains unclear how close both sides may actually be to resolving contentious issues which include territorial jurisdiction and control over natural resources. The recent extension through October 2006 of the Malaysian-led International Monitoring Team (IMT) and efforts of the Ad Hoc Joint Action Group (AHJAG) to apprehend suspected criminals and terrorists bode well for the peace process, but many potential obstacles (terrorism, clan/organizational rivalries, and domestic politics) remain along the way to a final GRP-MILF peace agreement.

11. (C) For example, news of MNLF concerns is a potential road block to future progress between the GRP and the MILF. The MNLF, an organization about three times the size of the MILF, has been at peace with the GRP since 1996 (though violence has flared up at times between breakaway MNLF

factions and the GRP). The USG has worked and continues to work in partnership with the MNLF, GRP, and ARMM officials in carrying out development programs ("Arms to Farms" and others) that have helped to consolidate the GRP-MNLF peace. The GRP can ill-afford a deterioration of its relationship with the MNLF. End Comment.

Joint Statement of GRP and MILF Peace Panels

¶12. (U) The complete text of the September 16 Joint Statement by the Chairmen of the GRP and MILF Peace Panels follows:

Begin:

The 9th Exploratory Talks between the Government of the Republic of the Philippines (GRP) and the Moro Islamic Liberation Front (MILF) ended today with the Parties successfully concluding the most difficult hurdle on the ancestral domain agenda.

The Technical Working Groups (TWGs) on Governance together with the GRP and MILF Peace Panels met in Kuala Lumpur from 15-16 September 2005 to continue negotiations under the ancestral domain agenda. The meeting was conducted in a cordial atmosphere despite the complexity of the subject. The TWGs in consultation with their respective Peace Panels succeeded in resolving the unfinished contentious issues from the last meeting in Port Dickson. Both sides adopted the consensus points on the strand of governance.

With this breakthrough, the peace process is on track to complete the ancestral domain agenda before the end of the year. The addition of the ancestral domain accord to the previous agreements already signed on Security (2001) and Rehabilitation and Development (2002) completes the requirement of the Tripoli Agreement on Peace of 2001.

The Malaysian Secretariat acknowledges the high level of trust and confidence between the Panels and their respective TWGs for their vital role in ensuring the successful conduct of the discussions on the ancestral domain aspect.

Simultaneously the peace panels also met to discuss and address several issues of concern to both parties.

The Parties recognize the efforts of the Ad Hoc Joint Action Group (AHJAG) relative to the ongoing operations against criminal groups in Maguindanao to wind up before the end of the month, and stress on the need for closer coordination to avoid the undue and prolonged displacement of local communities in affected areas. In this light, joint efforts to extend appropriate relief and livelihood assistance to affected communities will be undertaken.

The Parties will work towards strengthening the socio-economic monitoring function of the International Monitoring Team (IMT). Towards this end, other countries will be invited to participate in the monitoring process. Both parties thank Malaysia, Libya, and Brunei for extending the IMT tour of duty in Mindanao.

The Parties express their gratitude to H.E. Prime Minister Dato Seri Abdullah bin Haji Ahmad Badawi for the Malaysian Government's continued support to the GRP-MILF peace process.

The Parties likewise acknowledge H.E. President Gloria Macapagal-Arroyo's firm commitment to lasting and durable peace.

Done this 16th of September 2005 in Kuala Lumpur, Malaysia.

For the GRP: Sec Silvestre C. Afable, Jr., Chairman, GRP Peace Panel

For the MILF: Mohagher Iqbal, Chairman, MILF Peace Panel

End.

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